

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 9, 2008****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

VARIANCE

VAR-24824 - PUBLIC HEARING - APPLICANT/OWNER: DECATUR CROSSING CENTER, LLC - Appeal from the denial by the Planning Commission of a request for a Variance TO ALLOW A PROPOSED FREE STANDING SIGN HEIGHT OF 75 FEET WHERE 40 FEET IS THE MAXIMUM PERMITTED AND TO ALLOW 1012 SQUARE FEET WHERE 404 SQUARE FEET IS THE MAXIMUM PERMITTED on 16.8 acres at 202-290 South Decatur Boulevard (APNs 138-36-516-001 through 004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****13****City Council Meeting****27****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****6****City Council Meeting****6****RECOMMENDATION:**

The Planning Commission (6-1 vote) and staff recommend DENIAL

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Appeal letter filed by Decatur Crossing Center, LLC
7. Protest/support postcards
8. Submitted after final agenda – Protest/support postcards, protest letter and revised site plan
9. Submitted after meeting – Recordation notice of Council action and conditions of approval
10. Backup referenced from the 11-29-07 Planning Commission Meeting Item 39

Motion made by LOIS TARKANIAN to Approve subject to conditions and adding the following condition as read for the record:

A. All development shall be in conformance with the sign elevations date stamped 01/09/08, except as amended by conditions herein. The maximum sign height shall be 70 feet and the maximum size shall be 1,012 square feet.

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Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-STEVE WOLFSON); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and explained that this particular sign is located in the Target shopping center at Meadows Lane and Decatur Boulevard. The owner of the shopping center has had difficulty retaining tenants and the site is not currently full. He believes that a taller sign will help with the visibility and advertising of this center. Since the Planning Commission meeting, additional changes have been made. ATTORNEY LAZOVICH showed a photograph of the existing sign at 45 feet and the request is for a maximum height of 70 feet. Rocks and a decorative feature have been added to the bottom of the sign; each panel will be single sign panels. Currently, power lines block the sign's visibility and the applicant desires to keep the center viable.

TEDDY RUSSELL, Las Vegas resident, stated that at the Planning Commission meeting substantial argument was presented that the owner would not keep his word; however, he believes the owner will keep his promise and asked that the Council approve the application.

COUNCILWOMAN TARKANIAN indicated there is no guarantee what the applicant will or will not do. She is not a great supporter of signs, especially larger signs. However, in this case, there is a possible economic impact on losing business that will impact the residents living nearby. She requested that a condition be added regarding the sign.

MARGO WHEELER, Director of Planning and Development Department, read into the record an additional condition regarding the date of the elevation plan, as well as the maximum height and size of the sign. Additionally, the condition references the plan that will include the additional landscaping. ATTORNEY LAZOVICH verified that the applicant will add plants around the lower level of the sign. The Councilwoman thanked ATTORNEY LAZOVICH for working with her, as this is an area that needs help now.

MAYOR GOODMAN declared the Public Hearing closed.